

Message Text

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PAGE 01 TAIPEI 04141 300344Z
ACTION EB-08

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R 300342Z JUN 78
FM AMEMBASSY TAIPEI
TO SECSTATE WASHDC 7939

UNCLAS TAIPEI 04141

E.O. 11652: N/A
TAGS:EIND, TW
SUBJECT: PIRACY OF US SOUND RECORDINGS IN THE REPUBLIC
- OF CHINA

REF: STATE 153673

SUMMARY: THE EMBASSY MADE BOTH ORAL AND WRITTEN REPRESENTATIONS TO THE GROU EXPRESSING THE U.S. GOVERNMENT'S CONCERN OVER THE SERIOUSNESS OF THE RECORD PIRATING PROBLEM. IN RESPONSE, THE GROU EXPLAINED THAT THE MINISTRY OF INTERIOR (MOI) IS NOW CONSIDERING STRENGTHENING LEGAL PENALTIES FOR COPYRIGHT VIOLATIONS. END SUMMARY

1. BASED ON REFTEL, EMBASSY EXPRESSED TO THE GOVERNMENT INFORMATION OFFICE (GIO) ITS CONCERN OVER THE SERIOUS PROBLEM OF PIRATING SOUND RECORDINGS OF U.S. MANUFACTURE AND ORIGIN. THE GIO ACKNOWLEDGED THE PROBLEM, THOUGH IT ASSERTED THAT, COMPARED WITH EARLIER YEARS, THE SITUATION IS IMPROVING. THE GIO CONFISCATES PIRATE RECORDS WHICH VIOLATE MOI COPYRIGHT REGISTRATIONS, BUT THE MAIN BURDEN OF BRINGING SUIT FOR COPYRIGHT REGISTRATION VIOLATIONS FALLS ON THE LOCAL AGENTS OF FOREIGN RECORD COMPANIES. IT URGES THOSE AMERICAN FIRMS WHICH HAVE NOT YET DONE SO TO APPOINT LOCAL AGENTS.

2. THE GIO DID ADMIT, HOWEVER, THAT THE PRIMARY REASON FOR UNCLASSIFIED

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CONTINUED PIRATING OF RECORDS IS THAT THE LEGAL PENALTIES ARE INADEQUATE AS A DETERRENT. FURTHER, MANY JUDGES, IN SENTENCING THOSE FOUND GUILTY OF VIOLATIONS, REFLECT A MORE TRADITIONAL ATTITUDE THAT DOES NOT REGARD THIS BEHAVIOR AS A SERIOUS BREACH OF COMMERCIAL MORALITY. THE MOI COPYRIGHT COMMITTEE IS NOW CONSIDERING REVISIONS TO THE LAW WHICH MIGHT INCORPORATE NOT ONLY STIFFER

PENALTIES, BUT ALSO A MINIMUM SENTENCE.

3. THE GIO ADDED THAT THE GROC IS EVEN MORE AWARE OF THE PROBLEM NOW THAT RECORDINGS MADE BY POPULAR CHINESE SINGERS IN TAIWAN ARE BEING PIRATED IN HONG KONG AND OTHER SOUTHEAST ASIAN AREAS. OF COURSE, THE ROC HAS LITTLE RECOURSE TO PROTECT ITS RECORDING INDUSTRY'S INTERESTS IN THESE AREAS.

4. FOLLOWING THE EMBASSY'S ORAL PRESENTATION, THE ECONOMIC/ COMMERCIAL COUNSELOR SENT A LETTER TO CHIU CHUANG-HUAN, MINISTER OF INTERIOR REGARDING THE URGENT NEED TO PROCEED RAPIDLY WITH THE PASSAGE AND IMPLEMENTATION OF NEW REVISIONS TO THE COPYRIGHT LAW WHICH WOULD PUT TEETH INTO ROC'S ANTI-PIRACY PROGRAM.

5. COPY OF E/C COUNSELOR'S LETTER POUCHED TO EA/ROC
JUNE 30. UNGER

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Message Attributes

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